



**Commonwealth of Massachusetts  
Executive Office of Public Safety and Security**

**2011 MASSACHUSETTS JOHN R. JUSTICE STUDENT LOAN REPAYMENT  
PROGRAM**

**INTRODUCTION & ELIGIBILITY FORM**

Congress enacted the John R. Justice Prosecutors and Defenders Incentive Act (hereinafter referred to as the "Act"), codified at 42 U.S.C. §3797cc-21, and named for the late John Reid Justice of South Carolina, to encourage qualified attorneys to choose careers as prosecutors and public defenders and to continue in that service. The John R. Justice (JRJ) Grant Program provides loan repayment assistance for local, state, and federal public defenders and local and state prosecutors who commit to continued employment as public defenders and prosecutors for at least three years. The Massachusetts Executive Office of Public Safety and Security (EOPSS) is Governor Patrick's designated agency responsible for administration of the John R. Justice Grant Program for 2010-2011. Below find key dates and the terms of eligibility applicants must meet before an application will be considered.

**Key Dates**

Application Posted: **Monday, May 2, 2011**

Applications Due: **Wednesday, June 29, 2011 at 3:00 pm**

Anticipated Award Announcements: **On/about Monday, August 15, 2011**

**Eligibility Requirements**

1. Applicant must be a full-time (at least 30 hours) staff attorney of one the Commonwealth's District Attorneys' Offices, the Attorney General's Office, the Committee for Public Counsel Services, or the Federal Defender's Office. This includes appellate defenders, ADAs, and criminal appellate AAGs.
2. Applicant must have been employed full-time (at least 30 hours per week) by an eligible employer (i.e., a Massachusetts District Attorney, the Attorney General, CPCS, or Federal Defenders Office) for *at least* 36 months preceding submission of the application. Applicants employed full-time (at least 30 hours per week) by more than one eligible employer cumulatively for *at least* 36 months preceding submission of the application are also eligible.
3. Applicant's salary from the Commonwealth must not exceed \$70,000.00 based on 1 FTE.
4. Applicant agrees to remain employed as a prosecutor or public defender for a period of service of not less than three years (i.e., 36 consecutive months unless extended by FMLA or other legally protected reason) unless involuntarily separated from my employment.
5. Applicant must have eligible student loans  
Loans eligible for repayment are defined as, and limited to the following: (1) A loan made, insured, or guaranteed under part B of subchapter IV of chapter 28 of Title 20 (Federal Family Education Loan Program); (2) A loan made under part C or D of subchapter

IV of chapter 28 of Title 20 (William D. Ford Federal Direct Loan and Federal Perkins Loans); (3) A loan made under section 1078-3 or 1087e (g) of Title 20 (Federal consolidation loans and Federal Direct Consolidation loans, respectively).

**Ineligible Loans include:** (1) A loan made to the parents of a dependent student under section 428B of the Higher Education Act of 1965 (20 U.S.C. 1078-2). (2) A Federal Direct PLUS Loan made to the parents of a dependent student. (3) A loan made under section 428C or 455 (g) of the higher Education Act of 1965 (20 U.S.C. 1078-3 (Federal consolidation loans) and 1087e(g) (Federal Direct Consolidation loans) to the extent that such loan was used to repay a loan described in clause (1) or (2)

6. Applicant's eligible student loan(s) must be in excess of \$30,000.00.
7. Applicant must not be in default on repayment of any federal student loans or no-interest Massachusetts state loans.
8. Applicant must be an eligible prosecutor or defender as defined below:

**Prosecutor:** Full-time employee of a state or unit of local government (including tribal government) who is continually licensed to practice law and prosecutes criminal or juvenile delinquency cases at the state or unit of local government level (including supervision, education, or training of other persons prosecuting such cases). 42 U.S.C. §3797cc-21(b)(1). Prosecutors who are employees of the federal government are not eligible.

**Public Defender:** An attorney who is continually licensed to practice law and is a full-time employee of a state or unit of local government (including tribal government) who provides legal representation to indigent persons in criminal or juvenile delinquency cases including supervision, education, or training of other persons providing such representation; is a full-time employee of a nonprofit organization operating under a contract with a state or unit of local government who devotes substantially all of the employee's full-time employment to providing legal representation to indigent persons in criminal or juvenile delinquency cases including supervision, education, or training of other persons providing such representation; or employed as a full-time federal defender attorney in a defender organization pursuant to Subsection (g) of section 3006A of Title 18, United States Code, that provides legal representation to indigent persons in criminal or juvenile delinquency cases. 42 U.S.C. §3797cc-21(b)(2).

**NOTE:** Attorneys who are in private practice and not a full-time employee of a non-profit organization, even if individually or part of a firm that is under contract with a state or court-appointed to provide public defense services, do not qualify as "public defenders" and therefore are not considered to be eligible as beneficiaries under this solicitation.

9. It is the responsibility of the applicant to consult with the holder of his/her loan(s), tax advisor, or any other financial advisor to understand the impact of receiving JRJ funds.